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John S. Nagy, Esq., Reg. No. 30,664

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/777,451
Applicants : Lilip Lau, Matthew G. Fishler, Craig Mar
Filed : February 12, 2004
Art Unit : 3762
Examiner : Alyssa M. Alter
Title : CARDIAC HARNESS FOR TREATING CONGESTIVE HEART
FAILURE AND FOR DEFIBRILLATING AND/OR
PACING/SENSING

Docket No.: : PARCR 67465
Customer No. : 24201

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESUBMISSION OF
INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The documents listed on the enclosed Form PTO/SB/08a have come to the attention of Applicant and are submitted to the Office under 37 C.F.R. § 1.97(b)(3) and §1.98(d). A copy of each of the cited foreign patents and of each of the cited articles is enclosed.


This application is a continuation of U.S. Serial No. 10/704,376 filed November 7, 2003.

This Information Disclosure Statement is being submitted concurrently with a Request for Continued Examination which is being filed solely for the purpose of resubmitting the prior art submitted with this Information Disclosure Statement, which art was previously submitted to the Office in three Information Disclosure Statements, however, the art was not considered at the time the Information Disclosure Statements were initially submitted. It is respectfully requested that the art be considered and checked off by the Examiner.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:

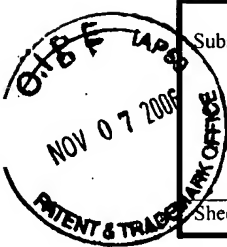

John S. Nagy

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Enclosures

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 15

Complete if Known

Application Number	10/777,451
Filing Date	February 12, 2004
First Named Inventor	Lilip Lau
Art Unit	3762
Examiner Name	Alyssa M. Alter
Attorney Docket Number	PARCR 67465

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		1,682,119		08/28/1928	Field	
		2,278,926		04/07/1942	Hartwell	
		2,826,193		03/11/1958	Vineberg	
		3,464,322		09/02/1969	Pequignot	
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		3,966,401		06/29/1976	Hancock et al.	
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		4,065,816		01/03/1978	Sawyer	
		4,108,161		08/22/1978	Samuels et al.	
		4,192,293		03/11/1980	Asrican	
		4,211,325		07/08/1980	Wright	
		4,261,342		04/14/1981	Aranguren Duo	
		4,306,318		12/22/1981	Mano et al.	
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		4,512,471		04/23/1985	Kaster et al.	
		4,536,893		08/27/1985	Parravicini	
		4,545,783		10/08/1985	Vaughn	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		FR	2 527 435		12/02/1983	Serreus		
		SU	1009457		04/07/1983	Kulik		
		GB	2 115 287 A		09/07/1983	Sharma		
		JP	60-203250		10/14/1985	Unknown		
		GB	2 209 678 A		05/24/1989	Evans		
		DE	3831 540 A I		04/06/1989	Evans		
		JP	1-145066		06/07/1989	Unknown		
		JP	1-271829		10/30/1989	Kogyo		
		EPO	0 370 931 A I		05/30/1990	Perrotin		

Examiner Signature	Date Considered
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known			
Sheet		2		of		15	
Application Number		10/777,451					
Filing Date		February 12, 2004					
First Named Inventor		Lilip Lau					
Art Unit		3762					
Examiner Name		Alyssa M. Alter					
Attorney Docket Number		PARCR 67465					

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		Number	Kind Code ² (if known)			
		4,628,937		12/16/1986	Hess et al.	
		4,630,597		12/23/1986	Kantrowitz et al.	
		4,665,906		05/19/1987	Jervis	
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		4,697,703		10/06/1987	Will	
		4,750,619		06/14/1988	Cohen et al.	
		4,821,723		04/18/1989	Baker, Jr. et al.	
		4,827,932		05/09/1989	Ideker et al.	
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		4,840,626		06/20/1989	Linsky et al.	
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		4,936,857		06/26/1990	Kulik	
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		4,973,300		11/27/1990	Wright	
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		5,031,762		07/16/1991	Heacox	
		5,057,117		10/15/1991	Atweh	
		5,067,957		11/26/1991	Jervis	
		5,087,243		02/11/1992	Avitall	

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		Office ³	Number ⁴	Kind ⁵ (if known)				
		FR	2 645 739		10/19/1990	Mentzer et al.		
		PCT	WO 91/19465		12/26/1991	Frater		
		SU	1734767 A1		05/23/1992	Popov et al.		
		EP	0 280 564 B1		06/16/1993	Intermedics, Inc.		
		DE	38 31 540 C2		06/24/1993	Evans		
		PCT	WO 95/06447		03/09/1995	W.L. Gore & Associates		
		PCT	WO 96/04852		02/22/1996	Northrup		
		DE	295 17 393 U1		03/14/1996	Hohmann et al.		
		EP	0 583 012 B1		07/10/1996	Heilman et al.		

Examiner Signature	Date Considered
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known		
				Application Number	10/777,451	
Sheet		3	of	15	Filing Date	February 12, 2004
					First Named Inventor	Lilip Lau
					Art Unit	3762
					Examiner Name	Alyssa M. Alter
					Attorney Docket Number	PARCR 67465

U.S. PATENT DOCUMENTS						
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		Number	Kind Code ² (if known)			
		5,098,369		03/24/1992	Heilman et al.	
		5,106,386		04/21/1992	Isner et al.	
		5,119,804		06/09/1992	Anstadt	
		5,131,905		07/21/1992	Grooters	
		5,150,706		09/29/1992	Cox et al.	
		5,169,381		12/08/1992	Snyders	
		5,186,711		02/16/1993	Epstein	
		5,190,546		03/02/1993	Jervis	
		5,192,314		03/09/1993	Daskalakis	
		5,197,978		03/30/1993	Hess	
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		5,279,539		01/18/1994	Bohan et al.	
		5,290,217		03/01/1994	Campos	
		5,333,624		08/02/1994	Tovey	
		5,336,254		08/09/1994	Brennen et al.	
		5,344,442		09/06/1994	Deac	
		5,352,184		10/04/1994	Goldberg et al.	
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		5,383,840		01/24/1995	Heilman et al.	
		5,385,156		01/31/1995	Oliva	
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		Office ³	Number ⁴	Kind ⁵ (if known)				
		PCT	WO 96/40356		12/19/1996	EP Technologies, Inc.		
		PCT	WO 97/20505		06/12/1997	Loma Linda University		
		PCT	WO 97/24101		07/10/1997	Melvin		
		EP	0 791 330 A3		08/27/1997	Cardiothoracic Systems		
		PCT	WO 98/03213		01/29/1998	Heartport, Inc.		
		PCT	WO 98/14136		04/09/1998	Acorn Medical, Inc.		
		PCT	WO 98/26738		06/25/1998	Hearten Medical, Inc.		
		PCT	WO 98/29041		07/09/1998	Myocor, Inc.		
		PCT	WO 98/58598		12/30/1998	Haindl		
		PCT	WO 99/11201		03/11/1999	Endocore, Inc.		
Examiner Signature						Date Considered		

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		Art Unit	3762		
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Sheet	4	of	15	Attorney Docket Number	PARCR 67465

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		Number	Kind Code ² (if known)			
		5,405,360		04/11/1995	Tovey	
		5,429,584		07/04/1995	Chiu	
		5,460,962		10/24/1995	Kemp	
		5,433,727		07/18/1995	Sideris	
		5,456,711		07/18/1995	Hudson	
		5,500,015		03/19/1996	Deac	
		5,507,779		04/16/1996	Altman	
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		5,524,633		06/11/1996	Heaven et al.	
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		5,695,525		12/09/1997	Mulhauser et al.	
		5,702,343		12/30/1997	Alferness	

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		Office ³	Number ⁴	Kind ⁵ (if known)				
		EP	0 919 193 A1		06/02/1999	Ethicon Endo-Surgery		
		PCT	WO 99/30647		06/24/1999	Myocor, Inc.		
		PCT	WO 99/44534		09/10/1999	Melvin		
		PCT	WO 99/44680		09/10/1999	Abiomed, Inc.		
		PCT	WO 99/53977		10/28/1999	SciMed Life Systems		
		PCT	WO 99/56655		11/11/1999	Correstore, Inc.		
		PCT	WO 00/02500		01/20/1999	Acom Cardiovascular		
		PCT	WO 00/06026		02/10/2000	Myocor, Inc.		
		PCT	WO 00/06027		02/10/2000	Mortier et al.		

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		5,713,954		02/03/1998	Rosenberg et al.	
		5,727,569		03/17/1998	Benetti et al.	
		5,749,839		05/12/1998	Kovacs	
		5,782,746		07/21/1998	Wright	
		5,800,334		09/01/1998	Wilk	
		5,800,528		09/01/1998	Lederman et al.	
		5,814,097		09/29/1998	Sterman et al.	
		5,824,028		10/20/1998	Knisley	
		5,836,311		11/17/1998	Borst et al.	
		5,848,962		12/15/1998	Feindt et al.	
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		5,855,601		01/05/1999	Bessler et al.	
		5,865,791		02/02/1999	Whayne et al.	
		5,876,432		03/02/1999	Lau et al.	
		5,904,690		05/18/1999	Middleman et al.	
		5,910,124		06/08/1999	Rubin	
		5,927,284		07/27/1999	Borst et al.	
		5,948,019		09/07/1999	Shu et al.	
		5,957,977		09/28/1999	Melvin	
		5,961,440		10/05/1999	Schweich, Jr. et al.	
		5,976,069		11/02/1999	Navia et al.	
		5,979,456		11/09/1999	Magovern	
		5,984,857		11/16/1999	Buck et al.	
		5,990,378		11/23/1999	Ellis	

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		PCT	WO 00/06028		02/10/2000	Mortier, et al.		
		PCT	WO 00/13722		03/16/2000	SciMed Life Systems		
		PCT	WO 00/16700		03/30/2000	Myocor, Inc.		
		PCT	WO 00/18320		04/06/2000	Univ. of Cincinnati		
		PCT	WO 00/28912		05/25/2000	Acorn Cardiovascular		
		PCT	WO 00/28918		05/25/2000	Acorn Cardiovascular		
		PCT	WO 00/42919		07/25/2000	Buckberg et al.		
		PCT	WO 00/45735		08/10/2000	Acorn Cardiovascular		

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/777,451
				Filing Date	February 12, 2004
				First Named Inventor	Lilip Lau
				Art Unit	3762
				Examiner Name	Alyssa M. Alter
				Attorney Docket Number	PARCR 67465
Sheet	6	of	15		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		6,007,486		12/28/1999	Hunt et al.	
		6,015,378		01/18/2000	Borst et al.	
		6,024,096		02/15/2000	Buckberg	
		6,045,497		04/04/2000	Schweich, Jr. et al.	
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		6,071,303		06/06/2000	Laufer	
		6,076,013		06/13/2000	Brennan et al.	
		6,077,214		06/20/2000	Mortier et al.	
		6,077,218		06/20/2000	Alfermess	
		6,079,414		06/27/2000	Roth	
		6,085,754		07/11/2000	Alfermess et al.	
		6,095,968		08/01/2000	Snyders	
		6,110,100		08/29/2000	Talpade	
		6,117,159		09/12/2000	Huebsch et al.	
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		6,126,590		10/03/2000	Alfermess	
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		6,155,972		12/05/2000	Nauertz et al.	
		6,162,168		12/19/2000	Schweich, Jr. et al.	

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Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		PCT	WO 00/48795		08/24/2000	Richebourg		
		PCT	WO 00/62727		10/26/2000	Hearten Medical		
		PCT	WO 00/74769		12/14/2000	Johns Hopkins Univ.		
		PCT	WO 01/17437		03/15/2001	Cardiothoracic Systems		
		PCT	WO 01/21098		03/29/2001	Acorn Cardiovascular		
		PCT	WO 01/50981		07/19/2001	Acorn Cardiovascular		
		PCT	WO 01/67985		09/20/2001	Paracor Surgical		
		PCT	WO 01/85061		11/15/2001	Acorn Cardiovascular		
		PCT	WO 01/91667		12/06/2001	Cardioclasp, Inc.		
		PCT	WO 01/95830		12/20/2001	Acorn Cardiovascular		

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				First Named Inventor	Lilip Lau
				Art Unit	3762
				Examiner Name	Alyssa M. Alter
				Attorney Docket Number	PARCR 67465
Sheet	7	of	15		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		6,165,119		12/26/2000	Schweich, Jr. et al.	
		6,165,120		12/26/2000	Schweich, Jr. et al.	
		6,165,121		12/26/2000	Alferness	
		6,165,122		12/26/2000	Alferness	
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		6,174,279		01/16/2001	Girard	
		6,179,791		01/30/2001	Krueger	
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		6,190,408		02/20/2001	Melvin	
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		6,206,820		03/27/2001	Kazi et al.	
		6,214,047		02/10/2001	Melvin	
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		6,230,714		05/15/2001	Alferness et al.	
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		6,287,250		09/11/2001	Peng et al.	
		6,293,906		09/25/2001	Vanden Hoek et al.	
		6,306,141		10/23/2001	Jervis	

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Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		PCT	WO 01/95831		12/20/2001	Acorn Cardiovascular		
		PCT	WO 01/95832		12/20/2001	Acorn Cardiovascular		
		PCT	WO 02/13726		02/21/2002	Acorn Cardiovascular		
		PCT	WO 02/19917		03/14/2002	Converge Medical		
		PCT	WO 03/026483		04/03/2003	The Foundry, Inc.		
		PCT	WO 03/026485		04/03/2003	The Foundry, Inc.		
		PCT	WO 03/026484		04/03/2003	The Foundry, Inc.		
		PCT	WO/0036995		06/29/2000	Corset Inc.		

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				First Named Inventor	Lilip Lau
				Art Unit	3762
				Examiner Name	Alyssa M. Alter
				Attorney Docket Number	PARCR 67465
Sheet	8	of	15		

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		Number	Kind Code ² (if known)			
		6,312,725		11/06/2001	Wallace et al.	
		6,352,710		03/05/2002	Sawhney et al.	
		6,360,749		03/26/2002	Jayaraman	
		6,375,608		04/23/2002	Alfermess	
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		6,402,679		06/11/2002	Mortier et al.	
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		6,416,459		07/09/2002	Haindl	
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				First Named Inventor	Lilip Lau
				Art Unit	3762
				Examiner Name	Alyssa M. Alter
				Attorney Docket Number	PARCR 67465
Sheet	9	of	15		

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		Number	Kind Code ² (if known)			
		2001/00293134		10/11/2001	Alferness et al.	
		2001/0047122		11/29/2001	Vanden Hoek et al.	
		2002/0007216		01/17/2002	Melvin	
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		2992/028981		03/07/2002	Lau et al.	
		2002/0068849		06/06/2002	Schweich, Jr. et al.	
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		2002/0082647		06/27/2002	Alferness et al.	
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		2003/0199733		10/23/2003	Shapland et al.	
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		2005/0182290		08/18/2005	Lau et al.	
		2005/0256368		11/17/2005	Lau et al.	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/777,451
		Filing Date	February 12, 2004
		First Named Inventor	Lilip Lau
		Group Art Unit	3762
		Examiner Name	Alyssa M. Alter
		Attorney Docket Number	PARCR 67465
Sheet	11	of	15

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Bencini, Adriano, M.D., <i>The "Pneumomassage" of the Heart</i> , <u>Surgery</u> , Vol. 39, No. 3, March 1956	
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		Lev, Maurice, M.D., et al., <i>Single (Primitive) Ventricle</i> , <u>Circulation</u> , Vol. 39, pp. 577-591	
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		Edie, Richard N., M.D., et al., <i>Surgical Repair of Single Ventricle</i> , <u>The Journal of Thoracic and Cardiovascular Surgery</u> , Vol. 66, No. 3, pp. 350-360, September 1972	
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		Schetky, L. McDonald, <i>Shap- Memory Alloys</i> , <u>Scientific American</u> , Vol. 241, No. 5, pp. 74-82, November 1979	
		Melton, K.N., et al., <i>Alloys With Two-Shape Memory Effect</i> , <u>Mechanical Engineering</u> , pp. 42-43, March 1980	
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		Anstadt, George L. et al., <i>Direct Mechanical Ventricular Actuation: A Review</i> , <u>Resuscitation</u> , pp. 7-23, 1991	
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		Filing Date	February 12, 2004
		First Named Inventor	Lilip Lau
		Group Art Unit	3762
		Examiner Name	Alyssa M. Alter
Sheet 12 of 15	Attorney Docket Number	PARCR 67465	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
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Examiner Name	Alyssa M. Alter	Attorney Docket Number	PARCR 67465
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